

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

KAREN KLINE,

Plaintiff,

vs.

Civ. No. 00-495 JC/WWD

CITY OF SANTA FE, SANTA FE POLICE
DEPARTMENT, JUDGE FRANCES GALLEGOS,
OFFICER JEROME SANCHEZ, OFFICER "JOHN
DOE", name unknown, ZONING OFFICER
EDDIE GARCIA,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion for Reconsideration or in the Alternative for Permission to Withdraw/Amend Admissions [docket no. 63] filed November 15, 2000. The motion seeks reconsideration of my denial of Plaintiff's Motion for Extension of Time to Respond to Discovery filed September 29, 2000. I have reviewed the admissions which are involved, and they relate to factual assertions involving Defendant Garcia's inspection of Plaintiff's house; notices sent to Plaintiff concerning that inspection; another inspection of Plaintiff's house; details concerning a second notice sent to Plaintiff; information concerning the third and fourth inspections of Plaintiff's house; and issuance of a citation in connection with one or more of the four inspections. Other requests for admissions deal with Plaintiff's being summoned to a court hearing and certain proceedings before the Santa Fe Municipal Court. Other admissions deal with Plaintiff's emotional state, a possible suicide attempt, and action by

the Santa Fe Police Department. There are also admissions concerning issuance of a bench warrant from the municipal court, Plaintiff's arrest, and Plaintiff's being placed in protective custody at St. Vincent's Hospital. Finally, there are admissions concerning dismissal of the municipal court citation based on Plaintiff's mental incompetency.

Other than the formal denial in the proposed responses to the request for admissions, Plaintiff does not suggest that there is anything incorrect in the assertions made in the admissions. I do not see how allowing Plaintiff to withdraw or amend her admissions would facilitate the presentation of the merits of this action.

I find that Plaintiff's Motion for Reconsideration or in the Alternative for Permission to Withdraw/Amend Admissions is not well taken and that it should be denied.

WHEREFORE,

IT IS ORDERED that Plaintiff's Motion for Reconsideration or in the Alternative for Permission to Withdraw/Amend Admissions [docket no. 63] be, and it is hereby, DENIED.



John H. Decker
UNITED STATES MAGISTRATE JUDGE